



**STATE OF NEW JERSEY**

**Board of Public Utilities**

*Two Gateway Center  
Newark, NJ 07102*

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF )  
COMCAST CABLEVISION OF NORTHWEST )  
NEW JERSEY, INC. FOR A CERTIFICATE )  
OF APPROVAL TO CONTINUE TO )  
OPERATE AND MAINTAIN A CABLE )  
TELEVISION SYSTEM IN AND FOR THE )  
TOWNSHIP OF MOUNT OLIVE, COUNTY )  
OF MORRIS, STATE OF NEW JERSEY )

RENEWAL  
CERTIFICATE OF APPROVAL

DOCKET NO. CE01080492

Stryker, Tams and Dill, Newark, New Jersey, by Janice Manganello, Esq., for the Petitioner.

Township Clerk, Township of Mount Olive, New Jersey, by Lisa M. Lashway, for the Township.

**BY THE BOARD:**

On June 24, 1981, the Board granted CATV Service Company ("CSC") a Certificate of Approval in Docket No. 802C-6649, for the construction, operation and maintenance of a cable television system in the Township of Mount Olive ("Township"). On May 23, 1979, in Docket No. 794C-6463, the Board approved the transfer of the Certificate of Approval from CSC to Storer Broadcasting Company. On July 2, 1986, in Docket No. CM8605542, the Board approved the transfer from Storer Broadcasting Company to Storer Cable Communications of Northwest New Jersey, Inc. d/b/a Storer Cable Communications ("Storer"). On October 8, 1993, in Docket No. CE91030407, the Board granted Storer a Renewal Certificate of Approval for the Township. On November 30, 1992, in Docket No. CM92080843, the Board approved the petition of Comcast Cablevision (a 50% shareholder of the Certificate) and Storer to transfer all assets to Comcast Cablevision, Inc. On June 27, 1994, Storer notified the Board's Office of Cable Television that it would now be known as Comcast Cablevision of Northwest New Jersey, Inc. ("Petitioner"). Although the Petitioner's Certificate expired on June 24, 2001, it is authorized to continue to provide cable service to the Township pursuant to N.J.S.A. 48:5A-25.

The Petitioner filed an application for the renewal of its municipal consent with the Township on September 22, 2000, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13. The Township, after public hearing, adopted a municipal ordinance granting renewal consent to the Petitioner on June 19, 2001. On July 10, 2001, the Petitioner formally accepted the terms and conditions of the ordinance, in accordance with N.J.S.A. 48:5A-24.

On August 10, 2001, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate of Approval for the Township. The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable

Television, the Board HEREBY FINDS the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Renewal Certificate of Approval. Further, the Township reviewed these qualifications in conjunction with the municipal consent process. See N.J.S.A. 48:5A-22 to 29 and N.J.A.C. 14:18-13.
2. The design and technical specifications of the system will ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is ten years. The Office of Cable Television finds this period to be of reasonable duration.
5. The Township may review the performance of the Petitioner with regard to the ordinance at its discretion. If the Township determines that the Petitioner has failed to substantially comply with the material terms and conditions of the ordinance, the Township shall provide written notice to the Petitioner of such alleged instances of non-compliance and shall grant the Petitioner 90 days to cure such deficiency. The Township may petition the Board for appropriate administrative action, including revocation of the franchise, only after the 90 day opportunity to cure has passed and the deficiency has not been cured.
6. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain informational tariffs for unregulated service rates and promptly file any revisions thereto.
7. Pursuant to N.J.S.A. 48:5A-26(b), the ordinance specifies a complaint officer. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.
8. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. Currently, the office meeting the requirements of this provision is located at 155 Port Murray Road in Port Murray (Mansfield Township).
9. The franchise fee to be paid to the Township is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.

10. The Petitioner shall provide service along any public right-of-way to any person's residence or business located in the Petitioner's franchise territory at tariffed rates for standard and non-standard installation. In all other circumstances within its franchise territory, the Petitioner shall utilize the line extension policy ("LEP") attached to the Certificate. The minimum homes per mile figure is 35.
11. The Petitioner shall provide public, educational and governmental ("PEG") access channels and facilities in accordance with its renewal application and the ordinance. Specifically, the Petitioner shall provide one system-wide community access channel for use by subscribers, organizations and entities served by the cable system. The Petitioner shall maintain a fully equipped and operational local production studio for use by the Township, the Petitioner and other access producers. The Petitioner shall provide training in the use of the studio, which is a prerequisite for its use.
12. The Petitioner shall provide standard installation and basic service of one outlet, free of charge, to: a) each elementary, middle and secondary school classroom in the Township; b) the municipal building; c) each fire department; d) each library; e) each first aid squad; and f) each public works building that is located in or may be constructed within the Petitioner's franchise territory.
13. Upon reasonable written request of the Township, the Petitioner shall appear, at least once annually, at a public meeting of the governing body or before the cable television advisory committee, to discuss matters pertaining to the provision of cable service to the residents of the Township and other related issues.

Based upon these findings, the Board HEREBY CONCLUDES that, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), the Petitioner has sufficient financial and technical capacity and meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is HEREBY ISSUED this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the area of the Township encompassing Blocks 8600, 8602 and 8700, as further stipulated in the ordinance. CSC TKR, Inc. d/b/a Cablevision of Morris has been authorized to provide service to the entirety of the Township, under Docket No. CE97070495, approved by the Board on May 6, 1998.

This Renewal Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein.

The Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. Section 76.1 et seq. Any modifications to the provisions thereof shall be incorporated into this Certificate. Additionally and more specifically, the Petitioner shall adhere to the technical standards of 47 C.F.R. Part 76, Subpart K.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute

sufficient grounds for the suspension or revocation of this Certificate.

This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire on June 24, 2011.

DATED: October 25, 2001

BOARD OF PUBLIC UTILITIES  
BY:

(signed)

CONNIE O. HUGHES  
PRESIDENT

(signed)

FREDERICK F. BUTLER  
COMMISSIONER

(signed)

CAROL J. MURPHY  
COMMISSIONER

ATTEST:

(signed)

FRANCES L. SMITH  
BOARD SECRETARY